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GOVERNMENT RELATIONS

August 22, 2005

Hon. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423

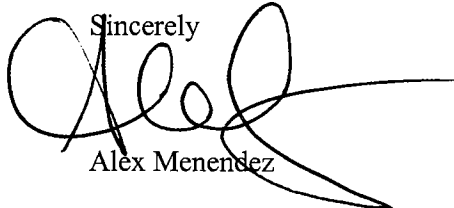
Re: Docket No. AB-980; *Santa Clara Valley Transportation Authority – Abandonment Exemption – In Santa Clara County, California and Alameda County, California*

Dear Sir:

On August 18, 2005 Santa Clara Valley Transportation Authority (“VTA”) filed a letter (“August 18 Filing”) containing the responses it received to the request for assistance it sent out pursuant to the Board’s regulations at 49 C.F.R. Part 1152, and the environmental regulations at 49 C.F.R. Part 1105.7. Those responses identified any potential effects of the abandonment action that may have arisen with respect to the rail lines at issue in this abandonment which are:

- 1) San Jose Industrial Lead from milepost 16.3 to milepost 17.49, a distance of 1.19 miles in Santa Clara County, California (the “Industrial Line”); and
- 2) the Milpitas Line Subdivision from mile post 2.61 near Clark Drive at Niles Junction to milepost 5.38 near Grimmer Boulevard,<sup>1</sup> a distance of 2.77 miles in and near Fremont, Alameda County, California (the “Milpitas Line”).

Since the August 18 Filing VTA has received an additional letter responding to the request for assistance it sent out on July 19, 2005. A copy of the letter is attached hereto as Exhibit A. Pursuant to 49 C.F.R. 1152.20(b)(1), VTA will file its Petition for Exemption on or before August 29, 2005.

Sincerely  
  
Alex Menendez

Attachment

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<sup>1</sup> Please note that the August 18 Filing inadvertently included a reference to Washington Boulevard, which is not included in the description of the Milpitas Line.

**MCLEOD, WATKINSON & MILLER**

Hon. Vernon A. Williams

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cc: All Parties of Record  
Ms. Victoria Rutson, Section of Environmental Analysis  
All persons on attached list

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August 22, 2005  
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**Recipients of Environmental Impact Inquiries**

Office of Planning and Research  
Sacramento, CA

California Coastal Commission  
San Francisco, CA

U.S. Environmental Protection Agency  
San Francisco, CA

U.S. Fish & Wildlife Service  
Portland, OR

Alameda County Supervisors  
Oakland, CA

California Environmental Protection Agency  
Sacramento, CA

California Department of Parks and Recreation  
Sacramento, CA

Mr. Edward J. McKay, Chief  
National Geodetic Survey  
Silver Spring, MD

Santa Clara County Supervisors  
San Jose, CA

U.S. Army Corps of Engineers  
Sacramento, CA

Mr. William D. Shaddox  
National Park Service  
Washington, D.C.

U.S. Natural Resources Conservation Service  
Davis, CA

# Exhibit A

**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

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August 10, 2005

REPLY TO: STB050725A

Charles A. Spitulnik  
McLeod, Watkinson, & Miller  
One Massachusetts Ave. N.W., Suite 800  
Washington, D.C. 20001

RE: Abandonment of Milpitas Line and Industrial Lines, Santa Clara Valley Transportation Authority, STB Finance Docket No. 34292

Dear Mr. Spitulnik,

Thank you for your July 19, 2005 letter and supporting documentation regarding the above-referenced undertaking. On behalf of the Surface Transportation Board (STB), you are seeking my assistance in identifying any potential effects of this abandonment action in accordance with 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act.

Our review of the submitted documentation leads us to recommend that the STB do the following to fulfill its responsibilities for the identification and evaluation of historic resources for this project as set forth in 36 CFR 800:

- Establish an Area of Potential Effects (APE), defined at 36 CFR 800.16(d), for the project that will determine the scope of the undertaking and its potential to effect historic properties.
- Identify and provide information on any historic properties that may be affected by the project and gather sufficient information to evaluate the eligibility of these properties for the National Register of Historic Places (NRHP). This information should include information on the age of the property, its historical significance, if any, as well as historical and/or current photographs of the property. A first step in this process would be to contact the regional Information Center of the California Historical Resources Inventory System (<http://ohp.parks.ca.gov>).
- Consult with Native Americans and other potentially interested parties regarding the undertaking and its potential to effect historic properties. You may accomplish part of this by contacting the Native American Heritage Commission and asking their direction (<http://ceres.ca.gov/nahc>).

Thank you again for seeking our comments on your project. If you have any questions, please contact staff historical archaeologist Anmarie Medin at (916) 651-0304.

Sincerely,

Milford Wayne Donaldson, FAIA  
State Historic Preservation Officer

AUG 19 2005